

D3
-- Transitional forms between one component (1C) and two component (2C) (hereinafter (1C) and (2C)) foams are possible. In this case a quantity of a hydroxyl component insufficient for reacting the isocyanate groups is added to the prepolymer before discharge. Such "transitional foams (hereinafter referred to as 1.5C foams or 1.5C)" are also covered by the invention. --

Page 7, line 27 to page 8, line 16, the corrected text is:

D4
-- The propellant component of this prepolymer composition expediently constitutes 5 to 40 wt%. The propellant content is 5 to 40 wt% of the prepolymer composition. The CO₂ content in the propellant can be for example about 5 wt%, based on the total propellant component. The content of gases not condensable under the prevailing pressure conditions should be such that the volume based on the empty space in the pressure tank yields a pressure of about 8 to 10 bars, depending on the relevant national specification for pressure tanks (aerosol cans). The empty space in the pressure tank is the space assumed by the uncondensed components of the prepolymer composition.

The liquid butadiene is optionally added to the prepolymer composition in solution along with an emulsifier for example in a weight ratio of 80/20-, preferably in solution with a hydroxy vegetable oil suitable for controlling the isocyanate content of the PU prepolymer. The liquid polybutadiene has a content of 0.01 to 2 wt% of the prepolymer composition. It has proven especially suitable to use castor oil with a hydroxyl number of 160, but any other hydroxy vegetable oils and hydroxy polyethers and polyesters can also be used. These are hydroxy components as are conventionally used for modifying viscosity in the formulation of prepolymer compositions. --

REMARKS

Applicants have amended the specification as shown above.

The marked up paragraphs are shown at the end of this supplemental amendment.

SUMMARY

Based on the above substitute amendments to the specification, Applicants argue that all informalities have been cured and that the pending claims are of a form and a scope for allowance. Prompt notification thereof is respectfully requested.

Applicant has amended the claims to overcome the §112 rejections and has shown that Examiner has failed to make out a *prima facia* case of obviousness under §35 U.S.C. 103.

Therefore Applicant respectfully requests that these rejections be withdrawn and that in view with the terminal disclaimer filed in the parent application that this case is in condition for allowance.

Applicants respectfully request allowance of Claims 1-29 and that this case be passed to issue.

Applicants will consider any Examiner's amendments which will advance this application to issue.

The Examiner is requested to call the undersigned at (650) 324-1677 with any comments or questions.

Respectfully submitted,



Date: June 22, 2001

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Enclosures:

- Substitute clean sheets for amendments to the paragraph in page 1, page 2, pages 7-8 in the specification and the claims



MARKED UP TEXT FOR PAGE 1 OF SPECIFICATION

Page 1, line 1

[DESCRIPTION]

PREPOLYMER COMPOSITION FOR INSULATING FOAMSRELATED APPLICATIONS

This application is a continuation of U.S. Ser. No. 08/501,020 filed October 16, 1995, now abandoned, which is a Continuation of PCT/EP94/00385 filed February 10, 1994, which have priority on DE applications German P43 03 894.2 filed February 10, 1993 and German P43 03 848.4 filed February 10, 1993.

BACKGROUND

Page 1, line 11 to page 2, line 5

The inventive prepolymer composition is used for producing polyurethane insulating foams which are used particularly for insulating purposes by foaming in cavities. The main areas of application are the construction industry, but also technical products in which cavities must be filled to avoid condensation nests. When one-component polyurethane foams are spoken of, these are applied by discharging the prepolymer composition from pressure tanks, for example aerosol cans, on the spot with the help of propellants with a bulk density of 10 to 50 g/l, and processed. One component [1C] foams are moisture-hardening, i.e. they can be cured solely with the help of the moisture contained in the air.

Two-component polyurethane foams require a second hydroxy component for curing the prepolymer composition, generally a polyol which must be added directly before foam formation. Curing can be accelerated by catalysts. Bulk densities in [2C] two component foams are characteristically 10 to 100 g/l.

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MARKED UP TEXT FOR PAGE 2, LINES 2 TO 5 OF THE SPECIFICATION

Transitional forms between [1C and 2C] one component (1C) and two component (2C) (hereinafter (1C) and (2C)) foams are possible. In this case a quantity of a hydroxyl component insufficient for reacting the isocyanate groups is added to the prepolymer before discharge. Such [1C foams] "transitional foams (hereinafter referred to as 1.5C foams or 1.5C) are also covered by the invention.

MARKED UP TEXT FOR PAGE 7, LINE 27 TO PAGE 8, LINE 16 OF SPECIFICATION

The propellant component of the prepolymer composition expediently constitutes 5 to 40 wt%. The propellant content is 5 to 40 wt% of the prepolymer composition. The $[CO_2]$ content in the propellant can be for example about 5 wt%, based on the total propellant component. The content of gases not condensable under the prevailing pressure conditions should be such that the volume based on the empty space in the pressure tank yields a pressure of about 8 to 10 bars, depending on the relevant national specification for pressure tanks (aerosol cans). The empty space in the pressure tank is the space assumed by the uncondensed components of the prepolymer composition.

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PETERS VERNY
JONES & BIKSA

Please find below a communication from the EXAMINER in charge of this application.

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Commissioner of Patents

The reply filed on March 5, 2001 is not fully responsive to the prior Office action because of the following omission(s) or matter(s):

The amendment fails to comply with the provisions set forth within 37 CFR 1.121(b)(1)(ii) or 37 CFR 1.121(b)(1)(iii), because the amendment contains neither a clean version nor a marked-up version of the replacement paragraph(s)/section(s). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Also, it is noted that the amendment of March 5, 2001 referred to the wrong serial number.

Any inquiry concerning this communication should be directed to R. Sergent at telephone number (703) 308-2982.

R. Sergent

May 31, 2001

PETERS VERNY
JONES & BIKSA

JUN 5 2001

RABON SERGENT
PRIMARY EXAMINER

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HF
6-13-2001